



PATENT
Docket No. DUR01-NP003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In <u>re</u> Application of:	:	Group Art Unit:	1646
	:		
During, Matthew	:	Examiner:	Olga Chernyshev
	:		
Serial No.: 09,939,472	:	TRANSMITTAL OF INFORMATION	
	:	DISCLOSURE STATEMENT WITHIN	
Filed: August 24, 2001	:	THREE MONTHS OF FILING OR	
	:	BEFORE MAILING OF FIRST OFFICE	
Title: "Novel Peptide With Effects on	:	ACTION (37 CFR 1.97(b))	
Cerebral Health"	:		
	:		
	:		

RECEIVED

JUN 25 2002

TECH CENTER 1600/2900

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Dear Sir:

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or before the mailing date of a first Office Action on the merits, whichever event occurs last. No additional fee is required.

Respectfully submitted,

Tong Li
Patent Agent
Thomas Jefferson University
1020 Walnut Street – 6th Floor
Philadelphia, PA 19103-2793

Date: June 18, 2002
Registration No: 47,748
Phone No: 215 503-0757

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited on the date shown below with the United States Postal Service as first class mail in an envelope addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.
Date: June 18, 2002

Janyce Lingo



PATENT
Docket No.: DUR01-NP003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: :
DURING, Matthew : Group Art Unit: 1646
: :
: : Examiner: Olga Chernyshev
: :
Serial No.: 09/939,472 : **INFORMATION**
: **DISCLOSURE**
Filed: August 24, 2001 : **STATEMENT**
: :
Title: "Novel Peptide With Effects on :
Cerebral Health" :
: :
: :

Commissioner of Patents and Trademarks
Washington, D.C. 20231

RECEIVED

JUN 25 2002

TECH CENTER 1600/2900

Dear Sir:

List Of Sections Forming Part Of This Information Disclosure Statement

The following sections are being submitted for this Information Disclosure
Statement:

1. Preliminary Statements
2. Form PTO - 1449 (Modified)
3. Copies of Listed Information Items Accompanying This Statement
4. Identification of Person(s) Making This Information Disclosure

Statement

Section 1. Preliminary Statements

Applicants submit herewith patents, publications or other information of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR 1.56.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 CFR 1.56(g)), an admission that the information cited is, or is considered to be, material to patentability or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

6-15-02

Gp/1646

Please type a plus sign (+) inside this box → ☐

Approved for use through 10/31/2002. OMB 0651-0031
 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
 Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/939,472
	Filing Date	August 24, 2001
	First Named Inventor	DURING, Matthew
	Group Art Unit	1646
	Examiner Name	Olga Chernyshev
Total Number of Pages in This Submission	Attorney Docket Number	DUR01-NP003

ENCLOSURES <i>(check all that apply)</i>		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers <i>(for an Application)</i> <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i> <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i>
Remarks		RECEIVED JUN 25 2002 TECH CENTER 1600/2900

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	TONG LI
Signature	
Date	June 18, 2002

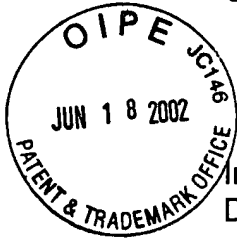
CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: June 18, 2002	
Typed or printed name	Janyce Lingo
Signature	
Date	June 18, 2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

U.S. Serial No. 09/939,472

Attorney Docket No. DUR01-NP003

1
#10
MB
06/26/02



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

In re the Application of:
DURING, Matthew

Serial No.: 09/939,472

Art Unit: 1646

Filed: August 24, 2001

Examiner: Olga Chernyshev

For: "Novel Peptide with Effects on Cerebral Health"

Assistant Commissioner for Patents
Washington, D.C. 20231

RECEIVED

JUN 25 2002

Dear Sir:

TECH CENTER 1600/2900

INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

(XX) In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, no additional fee is required.

() In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with () the first or () second After Final Submission, therefore:

() Certification in Accordance with §1.97(e) is attached; or

- ☐ The fee of **\$180** as set forth in §1.17(p) is attached.
- ☐ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, therefore:
 - ☐ Certification in Accordance with §1.97(e) is attached; or
 - ☐ The fee of **\$180** as set forth in §1.17(p) is attached.
- ☐ In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee, therefore included are: Certification in Accordance with §1.97(e); Petition Requesting Consideration of the Information Disclosure Statement; and the fee of **\$130** as set forth in §1.17(i).
- ☒ copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.
- ☐ Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:
 - ☐ In view of the voluminous nature of references **[list as appropriate]**, and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.
 - ☐ In accordance with §1.98(d), copies of the following references listed on the attached Form PTO-1449 are not enclosed herewith because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application(s) for which a claim for priority under 35 U.S.C. §120 have been made in the instant application:
 - ☐ Copies of references **[list as appropriate]** listed on the attached Form PTO-1449 were previously cited by or submitted to the Patent and Trademark Office in prior application Serial No. filed

U.S. Serial No. 09/939,472

Attorney Docket No. **DUR01-NP003**

() If any of the foregoing publications are not available tot he Examiner, Applicant will endeavor to supply copies at the Examiner's request.

Please charge any deficiency or credit any overpayment to Deposit Account No. **50-0491**. This form is submitted in triplicate.

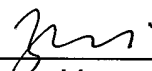
There are no listed references which are not in the English language.

Respectfully submitted,

Matthew During

6/18/2002
Date June 18, 2002

BY:


Tong Li
Registration No. 47,748

Patent Agent, Intellectual Property
Thomas Jefferson University
Office of University Counsel
1020 Walnut Street
Suite 620
Philadelphia, PA 19107
Phone: (215) 503-0757
Fax: (215) 955-6549

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute Form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		C m p l t i f Known Application Number: 09/939,472 Filing Date: August 24, 2001 First Named Inventor: DURING, Matthew Group Art Unit: 1646 Examiner Name: Olga Chernysh v Attorney Docket Number: DUR01-NP003	
Sheet	1	of	1

OTHER PRIOR ART " NON PATENT LITERATURE DOCUMENTS

Examiner Initials'	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue	T ²
	AA	ALVAREZ, E., RONCERO, I., CHOWEN, J., THORENS, B., & BLAZQUEZ, E. "Expression of the Glucagon-like Peptide-1 Receptor Gene in Rat Brain" <i>J Neurochem</i> 1996, pp. 920-927, 66 (3).	
	AB	BUTEAU, J., RODUIT R., SUSINI, S., & PRENTKI, M. "Glucagon-like Peptide-1 Promotes DNA Synthesis, Activates Phosphatidylinositol 3-kinase and increases Transcription Factor Pancreatic and Duodenal Homeobox Gene 1 (PDX-1) DNA-binding Activity in beta (INS-1) Cells." <i>Diabetologia</i> 1999, pp. 856-864, 42.	
	AC	CHOWEN, J., DEFONSECA, R., ALVAREZ, E., NAVARRO, M., GARCIA-SEGURA, L., & BLAZQUEZ, E. "Increased Glucagon-like Peptide-1 Receptor Expression in Glia After Mechanical Lesion of the Rat Brain" <i>Neuropeptides</i> 1999, pp. 212-215, 33 (3).	
	AD	DRUCKER, D., PHILIPPE, J., MOJSOV, S., CHICK, W., & HABENER J. "Glucagon-like Peptide I Stimulates Insulin Gene Expression and Increases Cyclic AMP Levels in a Rat Islet Cell Line." <i>Proc. Natl., Acad. Sci. USA</i> 1987, pp. 3434-3438, 84 (May).	
	AE	GALLWITZ, B., ROPETER T., MORYS-WORTMANN, C., MENTLEIN, R., SIEGEL, E., SCHMIDT, W. "GLP-1 Analogues Resistant to Degradation by Dipeptidyl-Peptidase IV in Vitro." <i>Regulatory Peptides</i> 2000, pp. 103-111, 86.	
	AF	JIN, S., HAN, V., SIMMONS, J., TOWLE, A., LAUDER, J., & LUND, P. "Distribution of Glucagonlike Peptide I (GLP-I) Glucagon and Glicentin in the Rat Brain: An Immunocytochemical Study." 1988, pp. 519-532, 271 (4).	
	AG	MERCHENTHALER, I., LANE, M., & SHUGHRUE, P. "Distribution of Pre-Pro-Glucagon and Glucagon-Like Peptide-1 Receptor Messenger RNA's in the Rat Central Nervous System." <i>J Comp Neurol</i> 1999, pp. 261-280, 403.	
	AH	SCHROCCCHI, L., BROWN, T., MACLUSKY, N., BRUBAKER, P., AUERBACH, A., JOYNER, A., & DRUCKER D. "Glucose Intolerance but Normal Satiety in Mice with a Null Mutation in the Glucagon-like Peptide 1 Receptor Gene." 1996, pp. 1254-1258, Jan 11, 403 (2).	
	AI	STOFFERS, D., KIEFFER, T., HUSSAIN, M., DRUCKER, D., BONNER-WEIR, S., HABENER, J., & EGAN, J. "Insulinotropic Glucagon-like Peptide 1 Agonists Stimulate Expression of Homeodomain Protein IDX-1 and Increase Islet Size in Mouse Pancreas." <i>Diabetes</i> 2000, pp. 741-748, 49 (5) May.	
	AJ	TSENG, C., ZHANG, X., & WOLFE, M. "Effect of GIP and GLP-1 Antagonists on Insulin Release in the Rat." <i>Am J. Physiol</i> 1999, pp. E1049-1054, 49 (5) May.	
	AK	TURTON M., O'SHEA, D., GUNN, I., BEAK, S., EDWARDS, C., MEERAN, K., CHOI, S., TAYLOR, G., HEATH, M., LAMBERT, P., WILDING, J., SMITH, D., GHATEI, M., HERBERT, J., & BLOOM, S. "A Role for Glucagon-like Peptide-1 in the Central Regulation of Feeding." <i>Nature</i> 1996, pp. 69-72, 379, Jan 4.	
	AL	WHEELER, M., LU, M., DILLON, J., LENG, X., CHEN, C., & BOYD, A. "Functional Expression of the Rat Glucagon-like Peptide-1 Receptor, Evidence for Coupling to Both Adenylyl Cyclase and Phospholipase-C*." <i>Endocrinology</i> 1993, pp. 57-62, 133 (1) Jul.	
	AM	ZHOU, J., WANG, X., PINEYRO, M., & EGAN, J. "Glucagon-like Peptide 1 and Exendin-4 Convert Pancreatic AR42J Cells into Glucagon-and-Insulin-Producing Cells." <i>Diabetes</i> 1999, pp. 2358-2366, 48 (12) Dec.	

RECEIVED

JUN 25 2002

Examiner Signature	Date Considered
--------------------	-----------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Assistant Commissioner for Patents Washington, DC 20231.